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File No. 1435/36

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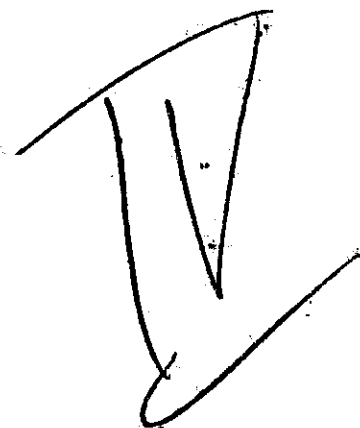
P. W. DEPARTMENT

M BRANCH

Subject:— Central Electricity Board
Regulation for the procedure of —
and conduct of business to be —
translated by the —

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File No. 1435/36 - M.

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DOCKET SHEET

File No. 1435/36

P. W. DEPT.

M BRANCH.

Original file is sent to Maharashtra.

Date.	To whom sent.	Notes and instructions.

CENTRAL ELECTRICITY BOARD.

Minutes of the First Meeting.

New Delhi, the 17th January 1938.

PRESENT;

The Honourable Mr. A.G. Clow, C.S.I., C.I.E., I.C.S.,
Secretary to the Government of India, Labour Department,
Chairman.

Mr. M. Subramanian, B.E., Electrical Inspector, Madras,
Member (MADRAS).

Mr. R. G. Higham, Electrical Engineer to the Government
of Bombay, Member (BOMBAY).

Mr. A. Hughes, I.C.S., Deputy Secretary to the Government
of Bengal, Department of Commerce and Labour, Member
(^{ENGL} Bengal).

Mr. Wajahat Hussain, I.C.S., Secretary to the Government
of the U.P., Public Works Department, B. & R. Branch,
Member (U.P.).

Mr. H.P. Thomas, C.I.E., Chief Engineer, Punjab Public
Works Department Electricity Branch, Member (PUNJAB).

Mr. S.M. Dhar, I.C.S., Director of Industries, Bihar,
member (BIHAR).

Mr. G. S. BHALJA, I.C.S., Secretary to the Govt. of the
Central Provinces and Berar, Commerce and Industry
Department, Member (C.P. & BERAR).

Mr. W. Allsup, Electrical Adviser, Assam, Member (ASSAM).

Mr. T.N. Idnani, Electrical Adviser to Govt. and Electrical
Inspector for Sind, Member (SIND).

Sir James Pitkeathly, Kt., C.M.G., C.I.E., C.V.O., C.B.E.,
D.B.O., Chief Controller of Stores, Indian Stores Dept.,
Member (DELHI).

Mr. H.J. Allinson, Offg. Chief Electrical Engineer,
North Western Railway, Member (RAILWAYS).

Mr. H.M. Mitra, M.A., B.Sc., Electrical Inspector of Mines,
Member (MINES).

Mr. S.A. Lal, Dy. Secy to the Govt. of India, Legislative

Department (Adviser to Chairman).

Mr. C.V. Stowers (Adviser to Mr. Thomas).

Mr. C. M. Ker, I.C.S., Under Secretary to the Govt.
of India, Labour Department, Secretary.

Captain J.R.L. Owen (Adviser to representative of Govt.
of N.-W.F.P., who was unable to attend) was also present.

1. Amendment of Rule 26 (2).---It was proposed that for the words "discontinue to supply" in rule 26 (2) the words "discontinue the supply of" or the words "cease to supply" should be substituted. The substitution of the words "discontinue the supply of" for the words "discontinue to supply" was approved for previous publication.

2. Amendment of Rule 47. - It was proposed that the words "and other premises" be inserted in rule 47 after the words "every factory". The amendment was approved for previous publication.

3. Amendment of Rule 64 (2).--- It was proposed that in the last sentence the word "All" be omitted and the words "at frequent intervals" be transferred to the beginning of the sentence. The omission of the words "at frequent intervals" was approved for previous publication.

4. Amendment to Rule 70.--- It was proposed that the proviso from sub-rule (1) of rule 70 be transferred to follow sub-rule (2). The amendment was approved for previous publication.

5. Amendment of Rule 71.--- It was proposed that in rule 71 for the words "Type of construction" the words "method of construction" be substituted. The substitution of the words "methods of construction" for the words "type of construction" was approved for previous publication.

6. Amendment of Rule 73.—It was proposed that in sub-rule (1) of rule 73 the words within brackets be deleted. It was resolved that the proposal be circulated to Members for consideration as if it was a proposal received for the first time under the by-laws.

7. Amendment of Rule 74.—It was proposed that in sub-rule (4) of rule 74, for the words "which crosses or is" the words "which will cross or be" be substituted. The amendment was approved for previous publication.

8. Amendment of Rule 79.—It was proposed to delete the words "while the lines are in use" at the end of rule 79.
~~the Burma oil-fields, by the Warden of the Oil-fields~~
~~be omitted.~~ The amendment was approved for previous publication.

9. Amendment of Rule 106.—It was proposed that in sub-rule (1) of rule 106 the words "or, in the case of the Burma Oil-fields, by the Warden of the Oil-fields" be omitted. The amendment was approved for previous publication.

10. Amendment of Rule 116.—It was proposed that in rule 116 the words "or, in the case of the Burma Oil-fields, from the Warden of the Oil-fields" be omitted. The amendment was approved for previous publication.

11. Amendment of Annexure III.—It was proposed that in paragraph 3 of Annexure III, for the words, figure and letter "clause 1 (b)" the words, figure and letter "clause 1 (a)" be substituted. The substitution of "clause 1 (a)" for "clause 1 (b)" in paragraph 3 (1) of Annexure III was approved for previous publication.

12. Rules for Berar.—It was agreed that the proposed application of the Electricity Rules, 1937, to Berar be published for criticism, with the amendments already approved by the Board.

13. By-laws.—The Board took up the consideration

of the draft by-law and the proposed amendments to them. The alternative amendments proposed to by-law 4 were put to the vote, as the voting papers showed that there was a majority in favour of amendment but did not give a distinct majority to any one amendment. The board approved the following amendment in by-law 4 (1) :—

For the words 'Each Member shall within one month' substitute the words 'Within two months of receiving a proposal for amendment sent under by-law 3 without a draft each Member shall'.

The Chairman announced the results of the voting on the other amendments. The following were the further amendments adopted:—

By-law 6.—For the words 'Each member shall within one month' substitute the words 'Within one month of receiving a draft sent under clause (2) of by-law 4 or within two months of receiving a draft sent under by-law 5, each member shall'.

By-law 7 (1).—For 'later than' substitute 'after'.

By-law 9 (1).—For 'some only' substitute 'only some'.

By-law 10.— 1. In clause (1), for the words 'the proposal is likely to secure the agreement of a majority of the members' read 'the proposal is likely to secure the agreement of a majority he shall forward to the members amendments modified in the form which he considers most likely to secure their agreement together with a summary of the opinions expressed by them'.

2. In the proviso to clause (2) for 'and that in that event' read 'in which case'.

By-law 14.—For 'one month' substitute 'two months'.

By-law 15 (1).—For 'the receipt of opinions sent as required by' substitute 'the opinions received under'.

By-law 17.—For 'of these' substitute 'of such'.

By-law 19.—For 'member' substitute 'elected Member'.

After by-law 19 insert the following as by-law 20:—

'Each member attending a meeting may be accompanied by an Adviser who shall be entitled to participate

in the discussion but may not vote' and renumber the following by-laws and alter references to them accordingly.

By-law 21 (a).—For 'by-law 9' read 'by-law 10'.

The by-laws, as so amended, were approved.

14. Amendments of sections 4, 5, 6 of the Indian Electricity Act, 1910.—The Board had before it a memorandum discussing the possible revision of the Electricity Act, 1910, to make better provision in respect of the revocation of licences and the maintenance of electric supply. There was a general discussion of the subject and certain suggestions were offered regarding the character of the reference which the Government of India might make to Provincial Governments on the subject.

15. Time and place of next meeting.—It was agreed that the Board should meet on Monday, the 9th January 1939, in New Delhi. It was contemplated that the Boilers Board would meet on the following day.

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For revised By-laws please see
pp. 141-150 of file
No. 1065/36.

By-laws made by the Central Electricity Board under
sub-section (4) of Section 36A of the Indian
Electricity Act, 1910.

PART I.—PRELIMINARY.

1. Definitions.—In these by-laws, unless there is anything repugnant in the context:—

- (a) "Board" means the Central Electricity Board Constituted under section 36A;
- (b) "Chairman" and "member" have the meanings assigned to them by sub-section (2) of section 36A;
- (c) "meeting" means a meeting of the Board;
- (d) "Previous publication" has the meaning assigned to it in section 38;
- (e) "promulgation" means the final publication of an amendment to the rules;

(f) "the rules" means the rules made in pursuance of section 37 which are for the time being in force and

(g) "section" means a section of the Indian Electricity Act, 1910.

2. Secretary.--(1) The Chairman shall appoint a Secretary to the Board to whom all proposals for amendment of the rules shall be forwarded.

(2) All orders of the Board which are published shall be signed by the Secretary.

PART II.--PRELIMINARY CONSIDERATION AND PUBLICATION

3. Circulation of new rules.--The Secretary shall place every proposal for an amendment of the rules before the Chairman, who shall cause copies of it to be forwarded to the members with or without a draft of the amendments necessary to give effect to the proposal:

Provided that the Chairman need not forward any proposal which is, in his opinion, devoid of meaning, or already covered by the rules, or which, on legal advice, he holds to be ultra vires of the Board's powers, or which has in substance been rejected by the Board within the preceding three years:

Provided further that if, in the opinion of the Chairman, a proposal is ambiguous, he may require the person or authority sending the proposal to put it in an unambiguous form before taking action under this by-law.

4. Preliminary opinion.--(1) Within two months of receiving a proposal for amendment sent under by-law 3 without a draft each member shall forward to the Secretary his opinion in writing on the substance of the proposal, stating whether he is in favour of taking action on the proposal or not.

(2) If a majority of the opinions received under clause (1) are in favour of taking action on the proposal the Chairman shall cause a draft of the amendments necessary to give effect to the proposal to be forwarded to the members.

(3) If a majority of the opinions received under clause (1) are in favour of taking no action on the proposal, the Secretary shall inform the members accordingly and the proposal shall be deemed to have been rejected by the Board.

5. Modified draft.--The Chairman, in causing a draft of amendments under by-law 3 or clause (2) of by-law 4 to be forwarded, may also cause to be forwarded alternatively amendments designed to give effect to the proposal in a modified form.

6. Opinions on publication.--Within one month of receiving a draft sent under clause (2) of by-law 4 or within two months of receiving a draft sent under by-law 5, each member shall forward his opinion in writing to the Secretary stating whether he agrees to the previous publication of the draft amendments or any of them.

7. Period for consideration.--(1) Any member forwarding an opinion under by-law 6 may, if he considers that the date on which the draft is to be taken into consideration should be more than three months after the date of previous publication, propose a later date.

(2) If a majority of the members propose later dates and if previous publication is agreed to, the Secretary shall in publishing the amendments fix as the date for consideration the earliest date which covers the periods proposed by a majority of the members.

(3) If a majority of the members do not propose later dates the Secretary shall, if previous publication is agreed to, fix as the date for consideration the next working day after the expiry of three months from the date of previous publication.

8. Agreement to publication.--If a majority of the members forwarding opinions under by-law 6 agree to the previous publication of the draft or of an alternative draft sent with it, the Chairman shall cause the draft or the alternative draft, as the case may be, to be so published.

9. Procedure when amendments are accepted in part.—

(1) If a majority of the members forwarding opinions under by-law 6 agree to the previous publication of only some of the amendments forwarded to them and the Chairman considers that the amendments securing a majority are suitable for previous publication without the other amendments, he shall cause them to be so published.

(2) If the Chairman considers that the amendments securing a majority are not suitable for previous publication without some or all of the other amendments, he shall proceed in the same manner as if no amendment had secured a majority.

10. Reference of modified proposals.—(1) If a majority of the members forwarding opinions under by-law 6 do not agree to the previous publication of any of the amendments forwarded to them and it appears to the Chairman that a modification of the proposal is likely to secure the agreement of a majority he shall forward to the members amendments modified in the form which he considers most likely to secure their agreement together with a summary of the opinions expressed by them.

(2) The subsequent procedure on any amendment sent under clause (1) of this by-law shall be the same as that applicable to a draft sent under by-law 3:

Provided that the Chairman in forwarding revised amendments under clause (1) may intimate that the amendments will be discussed at the next meeting in which case the members shall not be required to forward opinions under by-law 6 and the amendments shall be discussed at the next meeting.

11. Rejection of proposal for publication.—If a majority of the members forwarding opinions under by-law 6 do not agree to the previous publication of any of the amendments forwarded to them and it appears to the Chairman that no suitable modification of the proposal is likely to secure the support of a majority of the members, the Secretary shall inform the members of

the results of the reference to them, and the proposal shall be deemed to have been rejected by the Board:

Provided that, if within one month of the receipt of results of the reference a majority of the members intimate to the Secretary their desire that the proposed amendments be discussed at a meeting, they shall be discussed at the next meeting.

PART III.—CONSIDERATION OF FINAL DRAFT.

12. Circulation of final draft.—As soon as practicable after the date on which any amendments which have been previously published may be taken into consideration, the Secretary shall forward a set of the opinions received prior to that date to each member.

13. Preparation of final draft.— (1) The Chairman on receiving opinions under by-law 12 shall steps to prepare a draft of the final amendments in such manner as he may think fit in the light of these opinions.

(2) The Secretary shall forward a copy of the draft as approved by the Chairman to each of the members, with a copy of all opinions which have not already been forwarded to the members.

14. Opinion on final draft.—Within two months of receiving a draft sent under by-law 13 each member shall inform the Secretary in writing whether he is in favour of

- (a) the promulgation of the amendments, or
- (b) the rejection of the amendments, or
- (c) the reservation of the amendments for a meeting.

15. Procedure on receipt of opinions on final draft.—

(1) The following provisions shall govern the action to be taken on the opinions received under by-law 14 on any amendments circulated under by-law 12:—

(a) If not less than two-thirds of the opinions are in favour of the promulgation of the amendments, the amendments shall be deemed to have been accepted by the Board and shall be promulgated.

(b) If a majority of the opinions are in favour of the rejection of the amendments, the amendments shall be deemed to have been rejected by the Board.

(c) If a majority of the opinions are in favour of the reservation of the amendments for a meeting, the amendments shall be placed before the next meeting.

(d) In every other case the Chairman shall either forward revised proposals to the members or direct that the amendments be placed before the next meeting.

(2) The Secretary shall in all cases inform the members of the result of the reference to them.

16. Procedure on revised proposals.—If the Chairman in pursuance of clause (1) of by-law 15 forwards revised proposals to the members, the same procedure shall thereafter be followed as if these proposals had been forwarded to the members in pursuance of clause (2) of by-law 13.

17. Notice of amendments to be moved at meetings.—When any amendments have been revised^{sent} for a meeting under by-law 15, any member may send to the Secretary a copy of any amendments to these amendments which he proposes to move at the meeting and the Secretary shall send a copy of such amendments to each of the other members.

PART IV.—MEETINGS OF THE BOARD.

18. Times and places of ordinary meetings.—(1) A meeting shall be held in each calendar year unless there are no matters awaiting the Board's consideration.

(2) At each meeting the Board shall either fix the date and place of the next ordinary meeting or arrange for the manner in which it is to be fixed.

(3) If owing to there being no matters awaiting the Board's consideration a meeting is not held on the date which has been fixed for it, the Chairman shall fix the date and place of the next meeting after ascertaining the views of the members.

19. Absence of Chairman.—If the Chairman is not present at any meeting or part of a meeting, the other Members shall elect one of their number to preside during the Chairman's absence and the elected Member while so presiding shall exercise all the powers granted to the Chairman by this Part.

20. Advisers.--Each member attending a meeting may be accompanied by an Adviser who shall be entitled to participate in the discussion but may not vote.

21. Adjournments.--The Chairman shall adjourn the meeting when necessary but the Board shall ordinarily sit on each consecutive working day until the business before the meeting is finished.

22. Business before Board.--A meeting shall consider

(a) all proposed amendments placed before it under the proviso to clause (2) of by-law 10 or the proviso to by-law 11;

(b) All proposed amendments placed before it under the provisions of by-law 15;

(c) the action to be taken under clause (2) of by-law 31;

(d) any other business which may be placed before it by the Chairman, or which is required to be placed before it by by-law 31.

23. Regulation of discussion.-- The discussion at a meeting shall be regulated by the Chairman who shall, before any vote is taken, formulate precisely the proposal on which the Board is asked to vote.

24. Insufficient notice of proposal for previous publication.--(1) if any amendments proposed for previous publication are placed before a meeting without at least one month's previous notice, and if at the meeting three or more members express a desire that the conclusions reached on these amendments be further considered no action shall be taken on the amendments, as adopted by the meeting, until one month from the expiry of the meeting.

(2) If within one month from the conclusion of the meeting a majority of the members intimate to the Secretary that they are opposed to the previous publication of the amendments, as adopted by the meeting, or that they are in favour of any amendment to these amendments which was before the meeting the proposed amendments shall be deemed to have been rejected by the Board or shall be published with any amendments favoured by the majority, as the case may be.

(3) If within one month from the conclusion of the meeting a majority of the members do not intimate to the Secretary that they are opposed to the previous publica-

tion of the amendments, as adopted by the meeting, or that they are in favour of any amendment to these amendments^x shall be published in the form in which they were adopted at the meeting.

*X Which was before the meeting
the amendments*

25. Insufficient notice of proposal for promulgation.—

If members have not received at least one month's notice of any proposed amendments placed before a meeting under the provisions of by-law 15 and any member objects to a decision being reached on these amendments, the discussion shall proceed but the amendment as approved by the meeting shall not be promulgated and shall be reserved for individual consideration.

Provided that this by-law shall not apply where the proposed amendments are identical or, in the opinion of the Chairman, substantially identical, with the amendments as previously published.

26. Insufficient notice of amendments moved at meeting.— (1) If at a meeting any amendment of which at least one month's previous notice has not been given is moved to any proposal for the promulgation of any amendment and three or more members take objection to the consideration of the amendments so moved, the Chairman shall ascertain whether the majority of the members are in favour of taking the amendments so moved into consideration or not.

(2) If a majority of the members are not in favour of taking the amendments so moved into consideration that amendments shall not be further considered.

(3) If a majority of the members are in favour of taking the amendments so moved into consideration, the discussion shall proceed; but if the amendment is adopted and three or more members desired that the proposed amendment be not promulgated, the proposed amendment as approved by the meeting shall be reserved for individual consideration.

27. Reservation for individual consideration.—

When any proposed amendments are reserved for individual consideration under the provisions of by-law 25 or by-law 26

the Secretary shall send a copy of them as soon as possible after the conclusion of the meeting to each member. The procedure on them thereafter shall be the same as if members had received them under the provisions of clause (2) of by-law 13.

28. Decisions.--(1) At a meeting all decisions shall be taken by a majority vote.

(2) If on any proposal for the previous publication or promulgation of an amendment being put to the vote, the members are equally divided, the proposal ~~xxxxxxx xx xxxxxxxxxx xxx~~ shall be deemed to be rejected.

(3) If on any other proposal the members are equally divided, the Chairman shall exercise an additional vote.

29. Record of Meeting.--(1) The Secretary shall maintain a record of the Board's meetings which shall contain a statement of the dates and place of the meeting, the members present from time to time and the conclusions reached.

(2) The record of the conclusions reached at a meeting shall be read to the Board by the Secretary before that meeting is closed and, after any corrections necessary to render it accurate, shall be approved by the Board.

(3) No record shall be maintained of the discussions of any proposal and all such discussions shall be treated as confidential:

- Provided that if the Board so direct in respect of any conclusion reached the Secretary shall record the grounds on which the Board reached that conclusion.

. PART V.--SUPPLEMENTARY.

30. Formal alterations.--The Chairman shall have power at any time before any amendments to the rules are promulgated to correct clerical errors and make drafting alterations:

Provided that no such corrections or alterations shall be made after any amendments have been passed for

promulgation by a meeting of the Board unless the Chairman has been authorised by that meeting to make such corrections or amendments.

31. Amendment of by-laws.--Any proposal for the amendment of these by-laws received by the Secretary from any member shall be forwarded to the other members and shall be brought up for consideration at the first meeting of the Board which occurs after the lapse of one month from the receipt of copies by the members.

32. Interpretation of by-laws.--If any question arises regarding the interpretation of any of these by-laws, the decision of the Chairman shall be final.

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CENTRAL ELECTRICITY BOARD.

NOTIFICATION.

New Delhi, the 14th February 1938.

No. A.-805.--The following draft of certain amendments to the Indian Electricity Rules, 1937, which the Central Electricity Board proposes to make in exercise of the powers conferred by section 37 of the Indian Electricity Act, 1910 (IX of 1910), is published, as required by sub-section (1) of section 38 of the said Act, for the information of all persons likely to be affected thereby, and notice is hereby given that the draft will be taken into consideration on or after the 23rd May 1938.

Any objection or suggestion which may be received from any person in respect of the said draft before the date specified will be considered by the Central Electricity Board. Such objections or suggestions should be addressed to the Secretary, Central Electricity Board, Labour Department, Secretariat, New Delhi.

--- Draft Amendments. .

1. In sub-rule (2) of rule 26 of the said Rules, for the words "Discontinue to supply" the words "discontinue the supply of" shall be substituted.

2. In rule 47 of the said rules, after the words "every factory" the words "and other premises" shall be inserted.

3. In sub-rule (2) of rule 64 of the said Rules, the words "at frequent intervals" shall be omitted.

4. In rule 70 of the said Rules---

(a) the proviso to sub-rule (1) shall be omitted,

(b) to sub-rule (2), the following proviso shall be added, namely:--

"Provided that the owner may, before so altering the aerial line, require the person from whom the notice was received to deposit the estimated cost of such alteration".

5. In rule 71 of the said Rules, for the words "Type of construction" the words "Methods of construction" shall be substituted.

6. In sub-rule (4) of rule 74 of the said Rules, for the words "which crosses or is", the words "^{ch}which ^{will cross or be} ~~crosses or is~~" shall be ~~mutually~~ substituted.

7. In rule 79 of the said Rules, the words "while the lines are in use" shall be omitted.

8. In sub-rule (1) of rule 106 of the said Rules, the words "or, in the case of the Burma Oil-fields, by the Warden of the Oil-fields", shall be omitted.

9. In rule 116 of the said Rules, the words "or, in the case of the Burma Oil-fields, from the Warden of the Oil-fields", shall be omitted.

10. In sub-paragraph (1) of paragraph 3 of Annexure III to the said Rules, for the words, figure, brackets and letter "clause 1 (b)" the word, figure, brackets, and letter "clause 1 (a)" shall be substituted.

C. M. KER,
Secretary,
Central Electricity Board.

Telegrams:
"LABOUR"

Government of India.
Department of Labour.

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CENTRAL ELECTRICITY BOARD.

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D.O. No. A-805.

New Delhi, the 26th February 1938.

Dear Mr. Andrew,

I am desired to enclose copies of (1) the

minutes* of the meeting of the Central Electricity Board held on the 17th January 1938, (2) the by-laws^g finally adopted by the Board, (3) the notification appointing a Secretary to the Board, and (4) the notification of the amendments mentioned in paragraphs 1-5 and 7-11 of the Minutes. Copies of the proposals to give effect to paragraphs 6 and 12 of the minutes will follow.

*With one spare copy.

^g With two spare copies.

2. I have sent a separate letter to Mr. Highman.

Yours sincerely,

Sd/-

T. A. Andrew, Esquire, I.S.E.,
Secretary to the Govt. of Bombay,
Public Works Department.

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Telegrams:

"LABOUR"

Government of India,
Department of Labour.

CENTRAL ELECTRICITY BOARD.

D.O.No. A805.

New Delhi, the 9th March 1938.

My dear Mr. Andrew,

In continuation of my demi-official letter No. A805, dated the 26th February 1938, I send herewith a copy of the notification giving effect to the decision in paragraph 12 of the minutes of the last meeting of the Central Electricity Board. The proposal referred to in paragraph 6 of the minutes has already been circulated to members.

Yours sincerely,

Sd/-

To

T. A. Andrew, Esquire, I.S.E.,
Secretary to the Government of Bombay,
Public Works Department.

Final